

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

466Q0101

SENATE JUDICIARY ENGROSSED NO. **HB 1089** - 2/3/2009

Introduced by: The Committee on Judiciary at the request of the Chief Justice

1 FOR AN ACT ENTITLED, An Act to provide the court with discretion in ordering certain
2 hearings on protection order petitions.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 25-10-4 be amended to read as follows:

5 25-10-4. Upon receipt of the petition, if sufficient grounds are alleged for relief, the court
6 shall order a hearing which shall be held not later than thirty days from the date of the order
7 unless for good cause the court grants a continuance. Personal service of the petition, affidavit,
8 and notice for hearing shall be made on the respondent not less than five days prior to the
9 hearing.

10 Section 2. That § 22-19A-10 be amended to read as follows:

11 22-19A-10. Upon receipt of the petition, if sufficient grounds are alleged for relief, the court
12 shall order a hearing which shall be held not later than thirty days from the date of the order
13 unless for good cause the court grants a continuance. Personal service of the petition, affidavit,
14 and notice for hearing shall be made on the respondent not less than five days prior to the
15 hearing.

